



PRESS RELEASE

CONFEDERATED TRIBES OF THE COLVILLE RESERVATION

Colville Tribes Win Appeal In Desautel Hunting Rights Case

**For Immediate Release
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VANCOUVER, BC— Rodney Cawston, the Chairman of the Confederated Tribes of the Colville Reservation (CCT), announced another significant legal victory for the Tribes in the ongoing Rick Desautel/Sinixt hunting rights case. In the reasons for judgment released this morning, the Court of Appeal for British Columbia (B.C.) affirmed lower court rulings in the B.C. Supreme Court and Provincial Court, which held that Desautel, and by extension all sn̓ʔay̓ckstx (Sinixt/Arrow Lakes) people, including sn̓ʔay̓ckstx or Lakes members of the CCT, have the right to hunt in their traditional territory in Canada.

“We are very pleased that the courts of British Columbia have again held that the sn̓ʔay̓ckstx people are not ‘extinct’ in Canada and that Rick Desautel, as a sn̓ʔay̓ckstx descendant, has the right to hunt in the traditional and historic territories of our people in British Columbia,” Chairman Cawston said today.

The sn̓ʔay̓ckstx or Lakes Tribe is one of twelve represented by the CCT. For thousands of years the sn̓ʔay̓ckstx occupied a sizable territory in what is now British Columbia, and moved back and forth across what they view as an artificial boundary between the United States (U.S.) and Canada. When the border was established in 1846, sn̓ʔay̓ckstx people on the “U.S. side” encountered increasing difficulties in exercising their rights north of the border, including the passage of a law in 1896 that made it illegal to hunt in their Canadian territory. Ultimately, many sn̓ʔay̓ckstx were forced to settle south of the border, and were declared “extinct” in Canada in 1956. The Court of Appeal affirmed that the rights of the sn̓ʔay̓ckstx endure despite this displacement, stating:

Imposing a requirement that Indigenous peoples may only hold Aboriginal rights in Canada if they occupy the same geographical area in which their ancestors exercised those rights, ignores the Aboriginal perspective, the realities of colonization and does little towards achieving the ultimate goal of reconciliation. In this case, such a requirement would extinguish Mr. Desautel’s right to hunt in the traditional territory of his ancestors even though the rights of his community were never voluntarily surrendered, abandoned or extinguished....

Rick Desautel today said that he is “very gratified to see our indigenous traditions, spirituality, and laws upheld once again, and I will continue my work to strengthen our relationships to the land and with the people of British Columbia.”

Mark Underhill, lead counsel for Desautel, added this: “Once again, the Courts have resoundingly rejected the argument that Aboriginal identity can be erased by the imposition of laws, government policy, or an international border. This is an important victory for all indigenous peoples on both sides of the border.”

The next step in the legal process, if the government of British Columbia decides to take this matter further, is an application for leave (permission) to appeal to the Supreme Court of Canada in Ottawa.

“If the government chooses to pursue a further appeal, we will step up to defend it, and will do whatever it takes to ensure that the rights of our ancestors are preserved for future generations,” Chairman Cawston said, “but we sincerely hope that the government will instead consider the long overdue process of reconciliation with the sn̓ɬay̓ckstx, as the Canadian Constitution demands, rather than continuing to fight us in court.”

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About the Colville Tribes:

Today, more than 9,520 descendants of 12 aboriginal tribes of Indians are enrolled in the Confederated Tribes of the Colville. The tribes, commonly known by English and French names, are: the Colville, the Nespelem, the San Poil, the Arrow Lakes, the Palus, the Wenatchi (Wenatchee), the Chelan, the Entiat, the Methow, the southern Okanogan, the Moses Columbia and the Nez Perce of Chief Joseph's Bands.